

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**CIVIL MINUTES – GENERAL**

Case Nos.	5:23-cv-01010-FLA; 5:23-cv-01907-FLA; 5:23-cv-01910-FLA	Date	October 12, 2023
Title	In re: Marcus Albert Romero, et al.		

Present: The Honorable	FERNANDO L. AENLLE-ROCHA UNITED STATES DISTRICT JUDGE
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T. Freeman

Not Reported

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

Not Present

Not Present

Proceeding: (IN CHAMBERS) ORDER CONSOLIDATING ACTION WITH RELATED ACTIONS

On June 1, 2023, Debtors Marcus Albert Romero and Natalie Victoria Romero (“Appellants”) filed an appeal of the Bankruptcy Judge’s Order in Case No. 6:22-bk-12942-WJ (“the Underlying Action”), and the appeal was assigned Case No. 5:23-cv-01010-FLA (“Case 23-1010”). On September 19, 2023, Appellants filed two additional appeals of the Bankruptcy Judge’s Orders, which were assigned Case Nos. 5:23-cv-01907-FLA (“Case 23-1907”) and 5:23-cv-01910-FLA (“Case 23-1910”). On September 27, 2023, Cases 23-1907 and 23-1910 were deemed related to Case 23-1010 and transferred to this court.

On October 4, 2023, the court ordered the parties to show cause (“OSC”) in writing why Cases 23-1010, 23-1907, and 23-1910 should not be consolidated, with Case 23-1010 designated the lead case. Case 23-1010, Dkt. 19; Case 23-1907, Dkt. 19; Case 23-1910, Dkt. 11. The parties were advised that failure to respond timely would be deemed consent by the parties to the consolidation. *Id.* As of the date of this Order, the parties have not responded to the OSC.

Pursuant to Fed. R. Civ. P. 42(a)(2)–(3), the court may consolidate actions if they involve a common question of law or fact, and may issue “other orders to avoid unnecessary cost or delay.” Trial courts may consolidate actions sua sponte. *In re Adams Apple*, 829 F.2d 1484, 1487 (9th Cir. 1987).

Having reviewed the notices of appeal and all relevant filings in Cases 23-1010, 23-1907, and 23-1910, and in light of the parties’ deemed consent to the consolidation, the court finds these appeals involve common questions of law or fact and that consolidation of these appeals is appropriate. The court, therefore, CONSOLIDATES Cases 23-1010, 23-1907, and 23-1910, with Case 23-1010 designated the lead case. All future filings concerning these appeals shall be made in Case No. 5:23-cv-01010-FLA until further notice from the

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court. The Clerk shall administratively close Case Nos. 5:23-cv-01907-FLA and 5:23-cv-01910-FLA.

IT IS SO ORDERED.

Initials of Preparer tf _____